

REMARKS

Applicant hereby traverses the rejection of record and requests reconsideration and withdrawal of such in view of the remarks contained herein. Claims 1-32 are pending in this application.

Rejections Under 35 U.S.C. § 102(e)

Claims 1-3, 8-13, 16-21, 24-27, and 29-32 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,694,492 to Shakkarwar (hereinafter “Shakkarwar”).

It is well settled that to anticipate a claim, the reference must teach every element of the claim. *See* M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim.” *See* M.P.E.P. § 2131; *citing In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *See* M.P.E.P. § 2131; *citing Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989).

Claims 1, 8, 16, and 24 recite “said embedded micro-controller monitors temperatures at a plurality of locations on the integrated circuit.” In the Current Action, the Examiner points to Shakkarwar, particularly at col. 4 lines 4-54 and col. 6 lines 39-62, as satisfying this limitation. In doing so, the Examiner opines “Shakkarwar discloses in lines 4-19 [of col. 4] that multiple areas under varying conditions (temperature variation and thermal management) of the integrated circuit are monitored and controlled by element 130.” *See* Current Action, pg. 3. As an initial matter, Applicant points out that at the Examiner’s citation Shakkarwar does not disclose monitoring “multiple areas” as the Examiner suggests. Rather, Shakkarwar merely discloses applying test vectors to monitor the function of sub-components and applying multiple tests to determine IC characteristics under different conditions. *See* Shakkarwar col. 4, lines 16-19. Applicant acknowledges that Shakkarwar discloses a single thermal sensor 107, where a signal 124 received at test controller 110 from sensor 107 may be used to “assess thermal characteristics of central processing unit 102.” *See* Shakkarwar, col. 6 lines 21-24. Also, as seen in Figure 1, thermal sensor 107 provides a single output to

each of the power controller 108, internal controller 130, and test controller 110. Applicant points out that Shakkarwar's disclosure of a *single* sensor (e.g., thermal sensor 107) having a *single* output signal sent to a number of controllers (e.g., signal 117, 124, 138) does not teach monitoring temperatures at a plurality of locations. In fact, Shakkarwar teaches only that a single temperature measurement (represented as a single output signal) is obtained by a single thermal sensor (sensor 107). As such, Shakkarwar fails to teach monitoring temperatures at a plurality of locations on the integrated circuit as set forth in the claims. Therefore, Applicant respectfully requests withdrawal of the rejection of record.

Claims 2-3 and 29 depend from claim 1, claims 9-13 and 30 depend from claim 8, claims 17-21 and 31 depend from claim 16, and claims 25-27 and 32 depend from claim 24. Each of the dependent claims inherit every limitation of the claims from which they depend. As such, claims 2-3, 9-13, 17-21, 25-27, and 29-32 set forth limitations not taught by Shakkarwar, and are allowable at least for the reasons set forth above with respect to claims 1, 8, 16, and 24. Therefore, Applicant respectfully requests withdrawal of the rejection of record.

Rejections Under 35 U.S.C. § 103(a)

Claims 4, 14, 22, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shakkarwar in view of U.S. Patent Application Publication 2003/0225999 to Rogenmoser (hereinafter "Rogenmoser").

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Without conceding that the first or second criteria is satisfied, the Applicant respectfully asserts that the Examiner's rejection fails to satisfy the third criteria.

Claim 4 depends from claim 1, claims 14 depends from claim 8, claim 22 depends from claim 16, and claim 28 depends from claim 24. Each of claims 4, 14, 22, and 28 inherit

every limitation of the claims from which they depend. As shown above, Shakkarwar fails to teach or suggest ““said embedded micro-controller monitors temperatures at a plurality of locations on the integrated circuit.” Moreover, Rogenmoser is not relied upon to teach or suggest this missing limitation. As such, claims 4, 14, 22, and 28 set forth limitations not taught or suggested by the Examiner’s proposed combination, and are allowable at least for the reasons set forth above with respect to claims 1, 8, 16, and 24. Therefore, Applicant respectfully requests withdrawal of the rejection of record.

Claims 5, 15, and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shakkarwar in view of Korean Patent Publication 9405466 B1 to Kim (hereinafter “Kim”).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Without conceding that the second criteria is satisfied, the Applicant respectfully asserts that the Examiner’s rejection fails to satisfy the first or third criteria.

Claim 5 depends from claim 1, claims 15 depends from claim 8, and claim 23 depends from claim 16. Each of claims 5, 15, and 23 inherit every limitation of the claims from which they depend. As shown above, Shakkarwar fails to teach or suggest “said embedded micro-controller monitors temperatures at a plurality of locations on the integrated circuit.” Moreover, Kim is not relied upon to teach or suggest this missing limitation. As such, claims 5, 15, and 23 set forth limitations not taught or suggested by the Examiner’s proposed combination, and are allowable at least for the reasons set forth above with respect to claims 1, 8, 16, and 24. Therefore, Applicant respectfully requests withdrawal of the rejection of record.

Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance. Applicant believes no additional fee is due with this response other than the fees

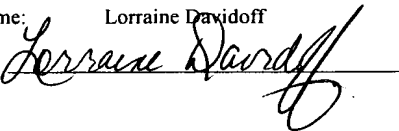
addressed in the accompanying transmittal documents. However, if an additional fee is due, please charge our Deposit Account No. 08-2025, under Order No. 200208727-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV 568241224 US in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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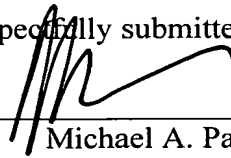
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Respectfully submitted,

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